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Docket No.: 1344.1084

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hiroshi NAGAEDA, et al.

Serial No. 10/061,307

Group Art Unit: 2874

Confirmation No. 2344

Filed: February 4, 2002

Examiner: Sung H. Pak

For: VARIABLE POLARIZATION PLANE ROTATOR AND OPTICAL DEVICE USING SAME

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RESPONSE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed September 24, 2003, and having a period for response set to expire on October 24, 2003.

In the Office Action the Examiner indicated that the application includes two different species corresponding to Figure 1 and Figure 7, and the Examiner required election of one of the species for prosecution. Although the Examiner referred to Figure 7 as illustrating one species, it is believed that the Examiner meant to refer to Figure 9.

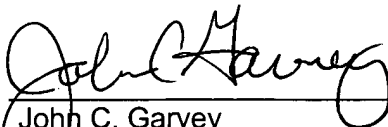
Applicant's hereby elect the species of Figure 1. It is submitted that claims 1-6 and 10-16 read on Figure 1. It is further submitted that claim 1 is generic to both species 1 and species 2. Therefore, it is submitted that if claim 1 is deemed allowable, then claims 7-9 directed to species 2 should also be examined.

Favorable examination is respectfully requested.

Respectfully submitted,

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Date: 10-22-03

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